

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Service Rules for the 698-746, 747-762)	WT Docket No. 06-150
and 777-792 MHz Bands)	
)	
Revision of the Commission's Rules to Ensure)	CC Docket No. 94-102
Compatibility with Enhanced 911 Emergency)	
Calling Systems)	
)	
Section 68.4(a) of the Commission's Rules)	WT Docket No. 01-309
Governing Hearing Aid-Compatible)	
Telephones)	
)	WT Docket No. 03-264
Biennial Regulatory Review – Amendment of)	
Parts 1, 22, 24, 27, and 90 to Streamline and)	
Harmonize Various Rules Affecting Wireless)	
Radio Services)	
)	WT Docket No. 06-169
Former Nextel Communications, Inc.)	
Upper 700 MHz Guard Band)	
Licenses and Revisions to Part 27 of)	
the Commission's Rules)	
)	PS Docket No. 06-229
Implementing a Nationwide,)	
Broadband, Interoperable Public)	
Safety Network in the 700 MHz)	
Band)	WT Docket No. 96-86
)	
Development of Operational, Technical and)	
Spectrum Requirements for Meeting Federal,)	
State and Local Public Safety)	
Communications Requirements Through the)	
Year 2010)	

COMMENTS OF CITY OF TACOMA, WA

The City of Tacoma hereby submits these reply comments in response to the Commission's *Further Notice of Proposed Rulemaking* in the above-captioned proceedings.

Several aspects of the April 25, 2007 Further Notice of Proposed Rulemaking (FNPRM) / PS Docket No. 06-229 — whereby broadband technology in the public safety 700 MHz spectrum allocation would be available only on a nationwide network with service areas determined by a national operator under a single national license — are unacceptable to the City of Tacoma. By removing 33% of currently assigned spectrum from control of ourselves and our Region 43 Regional Planning Committee, this FNPRM threatens our ability plus the ability of our regional partners and all public safety agencies nationwide to make local and regional decisions for optimum deployment of mobile data technology.

We do, however, support changing the rules governing existing spectrum currently identified for wideband. We propose a modification to allow flexibility for both broadband and wideband operations by granting Regional Planning Committees the authority to aggregate existing wide band channels up to 1.25 MHz. We take strong issue with the FCC statement *“providing flexibility could hinder efforts to deploy a nationwide, interoperable broadband network by perpetrating a balkanization of public safety spectrum licenses, networks and technology deployment.”* On the contrary, our position is that flexibility provides the ability to design, deploy, enhance and change customized systems best suited to local and regional operating environments.

Further, we do not support limiting capabilities by mandating a single national broadband or wideband standard. There is no such limitation imposed by the FCC in the private sector as a requirement and there should not be one for public safety. The various local and regional areas should be allowed to seek the optimum standards that best fit their operational and financial requirements.

The proposal to eliminate wideband capability while mandating that broadband capability will only be available via a nationwide public safety broadband network, potentially shared by the general public, through a single licensee amounts to a commercial takeover of a critical public safety strategic resource. This is bad for public safety and bad for the public protected by police and fire fighters losing that resource. Deployment of such a commercialized network could easily take a decade and be obsolete before ever fully deployed. Worse, deployment would in all probability never happen in much of the country where population densities do not support profit driven business models. The public safety agencies in these areas would be left with no mobile data choices at all in spectrum once dedicated to them solely for that purpose. In areas with populations dense enough to support a profitable commercial broadband business model, the ability to work with Regional Planning Committees and consortiums of agencies to optimize local and regional mobile data deployment would be non-existent.

Because non-interference requirements to incumbent TV operators have only recently been removed — a decade after the spectrum was first allocated to public safety in 1997 — major system planning efforts are only now beginning. Because 700 MHz planning efforts are occurring at a time when efforts of many of the same planners are directed towards rebanding the 800 MHz public safety spectrum, progress may appear slower than the FCC would have anticipated.

We believe the existing 24 MHz allotment of public safety spectrum is at best only marginally adequate for public safety requirements. Congress should remove at least 10 MHz of the D-block from auction, authorizing its use solely by public safety, controlled by Regional Planning Committees.

Finally, we appreciate the efforts of the Region 43 Regional Planning Committee on behalf of public safety voice and mobile data communications in Washington and support their comments filed for this NPRM.

Respectfully submitted,

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Date: May 23, 2007